

Administrative Review of Case 5889

Building permit and license to use the public right-of-way to replace an existing stockade fence, a portion of which is four (4) feet in height, with a wood flatboard fence in the same location and at the same height.

Anne C. Heilman &
Lawrence C. Heilman, Trustees
46 Grafton Street

46 Grafton Street



Figure 1: View of existing fence to be replaced



Figure 2: View of existing fence to be replaced.



Figure 3: View of existing fence in private property, exceeding four feet in height forward of the front building restriction line

**Chevy Chase Village
Building Permit Application**

Permit No: 5889

Property Address:

46 Grafton Street

Resident Name:

Daytime telephone: 301 657-3953

Cell phone:

After-hours telephone: " "

E-mail: lcheilman@verizon.net

Project Description:

replace existing old fence in same location

☐ Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.

Primary Contact for Project:

☒ Resident

☐ Architect

☐ Project Manager

☐ Contractor*

*MHIC/MD Contractor's License No. (required):

Information for Primary Contact for Project (if different from property owner):

Name:

Work telephone:

Same as above

After-hours telephone:

Cell phone:

E-mail:

Will the residence be occupied during the construction project?

☒ Yes

☐ No

If no, provide contact information for the party responsible for the construction site (if different from above):

Name:

Address:

Work telephone:

After-hours telephone:

Cell phone:

E-mail:

Parking Compliance:

Is adequate on-site parking available for the construction crews?

☒ Yes

☐ No

If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons?

☐ Yes

☐ No

Building Permit Filing Requirements:
Application will not be reviewed until the application is complete

- ☐ Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
- ☒ This application form, signed by resident.
- ☒ Boundary Survey
- ☒ Site Plan (see: Village Site Plan Checklist to ensure completeness)
- ☒ Building plans and specifications
- ☐ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☒ Filing Fee (due at time of application). Fees schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when Building Permit is issued). Amount of required deposit or bond will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.

If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising the architect, contractor, or any other service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature: Ann C. Hillman Date: 3/22/11

To be completed by Village staff:

Is this property within the historic district? Yes ☒ No ☒ Staff Initials: ES
Date application filed with Village: 3/21/11 Date permit issued: _____ Expiration date: _____

For Use By Village Manager	Application approved with the following conditions:
For Use By Village Manager	Application denied for the following reasons:

Filing Fees (due when application submitted)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Permit Application Fee: \$ <u>50.00</u> (see Permit Fee Worksheet)	
Tree Preservation Plan Fee: <input type="checkbox"/> \$250.00 <input checked="" type="checkbox"/> Not required for this project. <i>TBD</i>	
TOTAL Fees: <u>\$ 50.00</u>	Date: <u>3/22/11</u> Staff Signature: <i>Ellen Funk</i>
Damage Deposit/Performance Bond (due when permit is issued)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Staff signature:
Cost of damage to R-O-W: (calculated at close-out) Amount of refund:	Date: Staff signature:

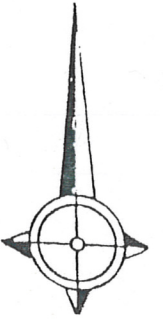
For Village Staff use: Field file for inspections by Code Enforcement Officer has been created: <input type="checkbox"/> Yes (Date: _____)
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BUILDING LOCATION SURVEY
 CHEVY CHASE SECTION I
 P. 920 LIBER 5046 FOLIO 739
 MONTGOMERY COUNTY
 MARYLAND

GRAFTON

100' R/W

STREET



LICENSE ROW:
 4' FENCE IN ROW
 REQUIRES LICENSE

PARKWAY

60' R/W

SECT. 8-31C
 6' FENCE IN R.O.W =
 SPECIAL PERMIT & LICENSE

CEDAR

SECT. 8-22f
 6' FENCE FORWARD OF
 25' BRL = VARIANCE

PROP. COR. WEST

COMPLIANT:
 4' FENCE FORWARD OF FRONT BRL

9.15' PORCH
 22.33'

2-STORY BRICK W/BASEMENT # 46

COVERED PORCH

Garage

Village Front BRL is (25')

15' B.R.L.

25'

S 6° 32' 30" E

8' INGRESS - EGRESS EASEMENT

W.S.S.C. R.O.W. L. 1095 F. 145

R.F.D.

EAST

58.59'

NORTH





MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 11, 2007

Anne Heilman
46 Grafton Street
Chevy Chase, Maryland 20815

Re: Fence installation at 46 Grafton Street, Chevy Chase Village Historic District

Ms. Heilman:

This letter is in response to your proposal to replace the existing 6' wooden stockade fence running along the western (Cedar Parkway) side of your property, with a new 6' flat board cedar fence in the same location. Your request to remove the existing stockade fence and replace it with a new 6' flat board cedar fence in the same location is approved. If any additional exterior alterations and revisions to this site are proposed they must be reviewed by the HPC prior to the project's commencement.

This letter will serve as your official approval for the removal of the existing stockade fence and the installation of the new flat board cedar fence. If you have any additional questions, please do not hesitate to contact me at 301-563-3400. Thank you for your cooperation and assistance in this matter.

Sincerely,

Joshua D. Silver
Historic Preservation Planner

Cc: Reggie Jetter, Department of Permitting Services
Geoff Biddle, Chevy Chase Village Manager

Chevy Chase Village

Tree Inspection Request Form

Property Address: <u>46 Mrafton</u>
Date this form submitted to Village office:
Resident Name:
Phone:
E-mail:
This request initiated by: <input type="checkbox"/> Village office staff. <input type="checkbox"/> Resident/property owner
<input type="checkbox"/> Inspect tree(s) ¹ requested for removal -- are any of conditions in Village Code Sec. 17-3(a) met? <input type="checkbox"/> Inspect trees ¹ on property to determine if a Tree Protection Plan (TPP) is needed for proposed project ² . <input type="checkbox"/> Pursuant to a Village Bldg Permit application ² , prepare TPP for trees ¹ on property [\$250 fee] <input type="checkbox"/> Verify that a TPP has been implemented for Village Building Permit # _____. <input type="checkbox"/> Follow up on an existing TPP -- is it OK to remove TPP? <input type="checkbox"/> Village right-of-way/park <input type="checkbox"/> Other: _____
¹ Show location of tree(s) on a plat or site plan (or on diagram on reverse, but only if plat unavailable). ² Attach full description of proposed project.

Sections below must be completed by Village Arborist:

Tree #1: ☒ Private Property ☐ Village right-of-way
 Location: ☐ Rear ☐ Front ☐ Side-L ☒ Side-R
 DBH*=_____ Species:_____ Tag#:_____ ☐ n/a: no tag.

Assessment: Inspected property for fence replacement
No conflict with trees

Tree #2: ☐ Private Property ☐ Village right-of-way
 Location: ☐ Rear ☐ Front ☐ Side-L ☐ Side-R
 DBH*=_____ Species:_____ Tag#:_____ ☐ n/a: no tag.

Assessment: _____

Tree #3: ☐ Private Property ☐ Village right-of-way
 Location: ☐ Rear ☐ Front ☐ Side-L ☐ Side-R
 DBH*=_____ Species:_____ Tag#:_____ ☐ n/a: no tag.

Assessment: _____

(For more trees, please check here ☐ and attach pages: # of extra trees ____; # of extra pages ____.)

Arborist assessment: Does tree meet any of the conditions in Village Code 17-3 to qualify for removal?

Removal Approved	Denied	*Is permit required? (i.e., is trunk circumf. ≥ 24 "?)	Y	N
Tree #1 <input type="checkbox"/>	<input type="checkbox"/>		Tree #1 <input type="checkbox"/>	<input type="checkbox"/>
Tree #2 <input type="checkbox"/>	<input type="checkbox"/>		Tree #2 <input type="checkbox"/>	<input type="checkbox"/>
Tree #3 <input type="checkbox"/>	<input type="checkbox"/>		Tree #3 <input type="checkbox"/>	<input type="checkbox"/>

Arborist Signature 

Date 8-29-11

CCV Permitting

From: Village, Chevy Chase
Sent: Monday, March 28, 2011 10:15 AM
To: CCV Permitting
Subject: FW: Attn: Ellen Sands

From: Carol Kelleher [<mailto:carolhkelleher@earthlink.net>]
Sent: Saturday, March 26, 2011 1:36 PM
To: Village, Chevy Chase
Cc: LAWRENCE HEILMAN
Subject: Attn: Ellen Sands

Dear Chevy Chase Village and Ms. Sands:

We wish to support the application of Larry and Anne Heilman, 46 Grafton Street, to replace their old stockade fence.

We live directly across Grafton Street at #25, and as we are both at the corner of Cedar Parkway, we frequently walk down the sidewalk bordered by the Heilmans' fence. The old stockade is deteriorating badly and we would be happy to see it replaced. We realize that the 6-foot height the Heilmans are requesting is over the current allowance, but as the new fence would be equal in height to what has been in place for 33 years, and would be a considerable esthetic improvement, we believe they should be allowed to make this replacement. Given that the Heilmans' outdoor porch and seating area are on the Cedar Parkway side, a 6-foot fence gives them a reasonable degree of privacy on a rather busy neighborhood street.

We hope you will allow this fence replacement.

Sincerely,

Carol and Michael Kelleher
25 Grafton Street

Carol H. Kelleher
phone: 301-656-4299
fax: 301-913-9893

CCV Permitting

From: Village, Chevy Chase
Sent: Monday, March 28, 2011 10:15 AM
To: CCV Permitting
Subject: FW: 46 Grafton St. Fence

-----Original Message-----

From: dkafka51@yahoo.com [<mailto:dkafka51@yahoo.com>]
Sent: Saturday, March 26, 2011 10:08 AM
To: Village, Chevy Chase
Subject: 46 Grafton St. Fence

To Ms. Ellen Sands: We are the next door neighbors of Larry and Anne Heilman at 46 Grafton St., Chevy Chase, Md. 20815. Our address is 44 Grafton St. We hereby give our approval for the Heilmans to replace their fence on their property. We have no objections whatsoever.
Sincerely, Robert Axelrod and Doris Kafka.
Sent from my Verizon Wireless BlackBerry

CCV Permitting

From: Village, Chevy Chase
Sent: Monday, March 28, 2011 10:16 AM
To: CCV Permitting
Subject: FW: Heilman fence

From: May Day Taylor [<mailto:maydaytaylor@verizon.net>]
Sent: Friday, March 25, 2011 3:56 PM
To: Village, Chevy Chase
Subject: Heilman fence

Ellen Sands,

I have been asked to let you know that I am in favor of the new Heilman fence.

I will add that I am also opposed to the significant fees that penalize a homeowner for maintaining their property. For heavens sake! ...this is a replacement fence. And I can see no reasonable effort on the part of the Village to warrant such huge fees! It is a sad commentary on how our village relates with its members.

May Day Taylor

May Day Taylor
maydaytaylor@verizon.net

CCV Permitting

From: Village, Chevy Chase
Sent: Monday, March 28, 2011 10:16 AM
To: CCV Permitting
Subject: FW: a fence

From: the.sanders@verizon.net [mailto:the.sanders@verizon.net]
Sent: Thursday, March 24, 2011 9:35 PM
To: lcheilman@verizon.net
Cc: Village, Chevy Chase
Subject: Re: a fence

To Chevy Chase Village Attn: Ellen Sands:

Dear Ms. Sands:

We have absolutely no objections to the fence replacement contemplated by our good neighbors the Heilmans. Please let us know if you have any questions.

Best wishes,

John and Lisa Sanders
5700 Cedar Parkway
Chevy Chase, MD 20815
301-652-8637.

Mar 24, 2011 08:18:58 PM, lcheilman@verizon.net wrote:
Hi Lisa and John,

Once again, after four years of not doing it, we've decided to replace our fence--same size, same place. And the Village once again requires input from our immediate neighbors. We'd greatly appreciate your sending an email to the Village (ccv@montgomerycountymd.gov) attn. Ellen Sands, giving your approval--assuming you do approve!

Many thanks, Anne



46 Grafton side garden (off Cedar Pkwy)



46 Jefferson St. side & rear yard



46 Griffin driveway fence (off Cedar pkwy)



46 Grafton - driveway fence (off Cedar & Kew)



46 Grafton driveway fence



46 Grafton fence along Cedar Street



46 Grafton fence along Cedar Pkwy